

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

**UPLAND FIN-FISH HATCHING AND
REARING NPDES GENERAL PERMIT
FACT SHEET**

Effective June 1, 2005

This fact sheet is a companion document to the draft Upland Fin-fish Hatching and Rearing National Pollutant Discharge Elimination System (NPDES) General Permit. The Department of Ecology (the Department) is proposing to issue this permit, which will allow and condition the discharge of wastewater to waters of the state of Washington by the facilities covered under this permit.

This fact sheet explains the nature of the proposed discharge, the Department's decisions on limiting the pollutants in the wastewater, and the regulatory and technical basis for those decisions. Public involvement information is contained in Appendix A. Definitions are included in Appendix B. Substantive comments and their response are summarized in Appendix C—Response to Comments. Individual comment letters received are contained in Appendix C.

GENERAL INFORMATION

Upland fin-fish hatching and rearing facilities are defined in Chapter 173-221A WAC as facilities in which fin-fish are hatched, fed, nurtured, held, maintained, or reared to reach the size of release or for market sale and are not located within waters of the state. This includes fish hatcheries, rearing ponds, spawning channels, and other similarly constructed or fabricated public, Tribal, or private facilities.

This permit includes technology-based effluent limits and other permit conditions that have been determined to meet both the state requirement for "all known, available, and reasonable treatment" (AKART) (RCW 90.48.010 and RCW 90.54.020) and the federal requirement for best conventional pollutant control technology (BCT).

All applications for coverage under this general permit will be evaluated to ensure compliance with state water quality standards (Chapter 173-201A and 173-200 WAC) and state wastewater discharge standards and effluent limitations for these facilities (Chapter 173-221A). Facilities which require more stringent effluent limits or special conditions other than those contained in this general permit in order to meet state water quality standards will need to obtain coverage under an individual permit.

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BACKGROUND INFORMATION

DESCRIPTION OF THE INDUSTRY

The Washington State Department of Fish and Wildlife (WDFW) operated approximately 74 facilities and private industry operated another 12 facilities, which were covered under the 1995 version of this permit. The number of facilities covered by this general permit has remained relatively constant over the past fifteen years, with 12 applications for coverage received from private facilities and 72 applications for coverage received for WDFW operated facilities. The mission of these facilities can range from public or tribal enhancement facilities to private enterprises running grow out operations.

The Department issued the first general permit to facilities rearing fin-fish in upland areas in 1990. This is the fourth issuance of the Upland Fin-fish Hatching and Rearing General Permit. These permits cover facilities that discharged at least thirty (30) days a calendar year and produced more than 20,000 pounds of fish per year, or feed more than 5,000 pounds of fish food during any calendar month. Any facility deemed a significant contributor of pollution to waters of the state by the Department was/is also covered. Fish rearing and hatching operations on Federal or Tribal land are not covered under this permit.

Industrial Process

Upland fin-fish hatching and rearing facilities can have a wide variety of rearing pond configurations including lined or unlined ponds, raceways, and circular ponds in which fish are held for culturing purposes. On a daily basis the operators of these facilities give the fish a predetermined ration of pelletized fish food by hand feeding and/or mechanical means to promote growth. Once the fish attain the targeted size they are released, harvested, or kept as brood stock.

WDFW, private aquaculture enterprises, and some Tribal facilities raise and release fish for enhancement purposes. The main methods of removing the fish from the ponds for release are the use of fish pumps, dip nets, and volitional release. The volitional release method is initiated by the removal of the pond screen at the outfall of a rearing pond so the bulk of the fish can leave on their own. At the end of a volitional release the remaining fish are crowded out of the pond and into the receiving water through the use of moveable screens or nets.

The most common method of moving the fish to a release site is by trucking them in fish holding tanks or by allowing them access into piping which will carry them to the adjacent receiving water.

Private facilities, in addition to raising fish for enhancement purposes, produce and sell eggs, fry, and/or market-sized fish. These facilities move the fish out of the rearing ponds by the use of fish pumps or dip nets for harvest or for live transport to other rearing facilities.

The wastewater treatment processes for these facilities are classified into three types: offline settling basins, flow through settling basins, and rearing pond culture (facilities which have a

minimum of two hours of hydraulic retention time). Offline settling basins are used at 48 percent of the facilities which requested coverage under this draft permit. Approximately 30% of the facilities utilize flow-through settling systems. About 20% of the facilities reported in their applications that they dispose of effluent and pond solids in either unlined pits, upland disposal or provide no treatment.

The majority of facilities use suction (trash) water pumps or venturi pumps to convey solids accumulation in the ponds to an offline settling basin. The least common method for removing the solids from the ponds is by sweeping the wastes off the pond bottom and letting the current carry the resuspended material into a bottom-drain system which is connected to the offline settling basin.

Facilities which lack an offline settling basin remove the accumulated solids for disposal onto adjacent fields or at a landfill by using pumps, front end loaders, and/or shovels.

Discharge

Wastes generated as a result of the operation of these facilities include: fish fecal matter, uneaten fish food, fish mortalities, fish carcasses resulting from spawning operations, and medications and disease control chemicals used in the hatching and rearing of fish. Other wastes found at these facilities include sand, silt, and other debris, which has settled out of the facilities source waters.

PREVIOUS PERMIT LIMITATIONS AND CONDITIONS

The previous general permit for these facilities was issued on April 17, 2000, with an effective date of June 1, 2000. The permit placed effluent limitations on settleable solids and total suspended solids from general hatchery and rearing pond discharges, offline settling basin discharges, and pond drawdown for fish release discharges. Following are the tables depicting those limits.

Table 1. Raceways and Rearing Ponds

| | Monthly Average | Maximum Daily | Monitoring Frequency |
|--|----------------------------|--------------------------|---------------------------------|
| Total Suspended Solids TSS (net mg/L) | 5.0 | 15.0 | 1/month |
| Total Settleable Solids SS (net ml/L) | 0.1 | -- | 1/week |

| Table 2. Offline Settling Basins | | | |
|-----------------------------------|--------------------|--------------------------|-------------------------|
| | Monthly Average | Instantaneous Maximum | Monitoring Frequency |
| Total Suspended Solids (mg/L) | — — — | 100 | 1/month |
| Total Settleable Solids (ml/L) | — — — | 1.0 | 1/month |

| Table 3. Pond Drawdown for Fish Release Discharges | | |
|--|--------------------------|-------------------------|
| | Instantaneous Maximum | Monitoring Frequency |
| Total Suspended Solids (mg/L) | 100 | 1/drawdown |
| Total Settleable Solids (ml/L) | 1.0 | 1/drawdown |

The permit limited the use of drugs, medications, and chemicals (disease control chemicals) to those approved for aquaculture use by the United States Food and Drug Administration (FDA) or the US Environmental Protection Agency (EPA). The permit required that the use of drugs, medications, or chemicals be reported annually on a form provided by the Department.

The disposal of all spent chemical dip treatment solutions were to be reported in the Operational Log.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

During the history of the previous general permit, compliance based on the Discharge Monitoring Reports (DMRs) received and on the results of site inspections conducted by the Department was generally good. Violations of DMR reporting requirements, effluent limitations, and percent removal requirements were documented.

The most common permit condition that was violated was total suspended solids effluent limit exceedances from the offline settling basin.

WASTEWATER CHARACTERIZATION

The wastewater discharge from these facilities can come from two related but separate sources: the rearing portion of the facility (rearing ponds and raceways), and the offline settling basin.

Rearing Pond and Raceway Discharges

The rearing pond and raceway wastewater contains some organic solid wastes that consist of uneaten food and fecal material. The quantity of these wastes depends upon the volume of fish food being fed, the pounds of fish, pond design, and the amount of waste that settles out of the water prior to its discharge.

Offline Settling Basin Discharges

The offline settling basin wastewater contains resuspended organic solids created when the bottom of the rearing ponds are cleaned through the use of a vacuum system or by sweeping to a bottom-drain system. The organic solids consist of fish food, fecal material, and other debris which settled out from the facility's water source.

Pollutants of Concern

Pollutants of concern in hatchery and rearing pond wastewater are the waste food and feces. The chemical constituents of concern in the waste food and feces are primarily nitrogen and phosphorus. The pollutant loading in the effluent is characterized with monthly total suspended solids (TSS) and weekly settleable solids (SS) monitoring.

The above-mentioned pollutants are present in the discharge from the raceways and rearing ponds at hatcheries and acclimation ponds in low concentrations, but in higher concentrations in the smaller volume discharges from the waste settling basins. The Department has determined that because of solids removal, hatchery discharges pose a low risk of causing water quality violations for facilities with adequate dilution by receiving water.

The disease control chemicals used at these facilities are also considered by the Department to be pollutants of concern. These chemicals are used to treat both internal and external fish diseases and to prevent the spread of disease at or between facilities. The permit limits the use of these chemicals to only those approved for hatchery use and used in accordance with label instructions. The permit also prohibits the discharge of these chemicals in concentrations which would exceed federal or state water quality standards and requires that BMPs be used to minimize the concentration of these chemicals in the facilities' discharge. These chemicals include the following:

| Internal Control | External Control | Disinfectants/Other |
|-------------------------|-------------------------|----------------------------|
| Amoxicillin | Acetic Acid | Chlorine |
| Terramycin (OTC) | Buffered Iodophor | Iodophor |
| Epsom Salts | Chloramine-T | MS-222 |
| Erythromycin | Formalin | Quaternary Ammonia |
| Romet 30 | Hydrogen Peroxide | Sodium Thiosulfate |
| Florfenicol | Potassium Permanganate | Aquashade |
| Penicillin | Sodium Chloride (Salt) | LLMO |
| Lincomycin | Diquat | Chlorhexidine |
| Albuterol | Citric Acid | Lime Type-S |
| Clindamycin | Copper Sulfate | Carbon Dioxide (gas) |
| Vibrio Vaccine | | Ozone (gas) |

Trimethoprim-sulfadiazine
Chlortetracycline
Tylosin
Fumagillin
Cephalexin
Benzocaine
Sulfamethoxazole (Albon)
GnRH=gonadotropin releasing hormone
Isoeugenol (Aqui-S)
Calcein
BKD Vaccine
Flavobacterium Columnare B Vaccine

All of these disease-control chemicals are administered at known concentrations for their therapeutic or disease prevention effect.

PROPOSED PERMIT LIMITATIONS AND CONDITIONS

Federal and State regulations require that effluent limitations set forth in an NPDES permit must be either technology or water quality-based. Technology-based limitations are based upon the treatment methods available to treat specific waste water. Technology-based limitations are set by regulation or developed on a case-by-case basis (40 CFR, and Chapter 173-220 WAC). Water quality-based limitations are based upon compliance with the water quality standards (Chapter 173-201A WAC). The more stringent of these two limits must be chosen for each of the parameters of concern. Each of these types of limits is described in more detail below.

Background

In 1974, the EPA released a "Draft Development Document for Effluent Limitations Guidelines for Fish Hatcheries and Farms," for public review.

In 1984, the EPA Region 10 contracted with JRB Associates for a study of Idaho trout facilities. The study recommended effluent limitations, which would represent best conventional pollutant control technology (BCT).

Individual NPDES permits for upland fin-fish hatching and rearing facilities issued in Washington before 1984 were based primarily on the EPA draft development document released in 1974. Permits issued after 1984 in Washington generally followed the effluent recommendations in the 1984 EPA/JRB Idaho fish hatchery study.

In 1990, the Department established AKART for these facilities through the adoption of standards for upland fin-fish facilities, Chapter 173-221A WAC, Wastewater Discharge Standards and Effluent Limitations.

The regulation was amended in October 1995. The most significant regulatory change was made to acknowledge the wide-spread and commonly accepted extra-label use of drugs and chemicals.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

Technology-based effluent limitations have been established for this industry through the adoption of Chapter 173-221A WAC. This regulation contains both wastewater discharge standards and design criteria for wastewater treatment systems. This permit contains the same effluent limitations which have been adopted for this industry and placed in regulation (Chapter 173-221A WAC). Design criteria for wastewater treatment systems are not in the permit but are contained in the regulation covering this industry. Following are the wastewater discharge performance standards:

| <u>Rearing Pond Discharges</u> | <u>Limit</u> |
|---|--------------|
| Instantaneous Maximum Total Suspended Solids | 15 mg/L |
| Average Monthly Total Suspended Solids Concentration | 5 mg/L |
| Average Monthly Settleable Solids Concentration | 0.1 ml/L |
| <u>Offline Settling Basin and Rearing Pond Drawdown for Fish Release Discharges</u> | |
| Instantaneous Maximum Total Suspended Solids | 100 mg/L |
| Instantaneous Maximum Settleable Solids | 1.0 ml/L |

This permit also requires facilities to update and submit their Pollution Prevention Plan by January 1, 2006, and update the plan whenever necessary. This permit has added the requirements for a site specific Facility Sampling Plan and a Solid Waste Management Plan. These requirements stem from site specific issues identified during the past permit cycle. These plans must be submitted to the Department by January 1, 2006.

The implementation of the Pollution Prevention Plan and the Solid Waste Management Plan will provide further reductions in the amount of solids discharged, protect groundwater quality, prevent spills, and have procedures developed for responding to a spill. The Facility Sampling Plan will identify influent and effluent sampling points at each facility and outline procedures for composite sampling.

This permit also contains a prohibition on the discharge of Atlantic salmon into freshwater surface waters of the state, without written permission from the WDFW. This prohibition was based in part on the May 1997 Pollution Control Hearings Board ruling that Atlantic salmon are a biological pollutant. Additionally, it is known that juvenile Atlantic salmon have been trapped by the WDFW in both Scatter Creek and the Chehalis River downstream of permitted upland fin-fish hatching and rearing facilities raising Atlantic salmon. The WDFW has expressed concerns that Atlantic salmon fry and juvenile fish may cause ecological disruption if released to freshwater. The technology available to eliminate the inadvertent release of Atlantic salmon is facility effluent screening. Screening is relatively inexpensive and commercially available.

The Department believes that a precautionary stance in regards to the inadvertent release of Atlantic salmon is a reasonable step to prevent the establishment of this exotic species in our state waters. This requirement will only impact a few permitted facilities statewide. It should be noted that WAC 232-12-271 also prohibits the release of exotic species into the state without a permit from the Director of the WDFW.

Facilities that are not required to apply for and receive an Upland Fin-Fish Hatching and Rearing NPDES General Permit from the Department are still obligated to meet the practices and effluent standards of WAC 173-221A-100.

WATER QUALITY-BASED EFFLUENT LIMITATIONS

In order to protect existing water quality and preserve the designated beneficial uses of Washington's surface waters, WAC 173-201A-060 states that waste discharge permits shall be conditioned such that the discharge will meet established water quality standards. The Washington State Water Quality Standards (Chapter 173-201A WAC) is a state regulation designed to protect the beneficial uses of the waters of the state.

Numerical Criteria

"Numerical" water quality criteria are numerical values set forth in the state of Washington's Water Quality Standards (Chapter 173-201A WAC), which specify the allowable levels of pollutants in a receiving water. Numerical criteria for dissolved oxygen and turbidity are among the criteria contained in WAC 173-201A-030. Numerical criteria are also listed for many toxic substances including chlorine and ammonia (WAC 173-201A-040).

Numeric criteria set forth in the water quality standards are used to derive the effluent limits in a discharge permit. When water quality-based limits are more stringent or potentially more stringent than technology-based limitations, they must be used in a permit.

Narrative Criteria

In addition to numerical criteria, "narrative" water quality criteria (WAC 173-201A-030) are used to limit acute and chronic toxicity, radioactivity, and other deleterious materials, and prohibit the impairment of the aesthetic value of the waters of the state. Narrative criteria describe the specific beneficial uses of all fresh (WAC 173-201A-130) and marine (WAC 173-201A-140) waters in the state of Washington.

Antidegradation Policy

The state of Washington's Antidegradation Policy requires that discharges into a receiving water shall not further degrade the existing water quality of the water body. In cases where the natural conditions of a receiving water are of lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. Similarly, when the natural conditions of a receiving water are of higher quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. More information on the Washington State Antidegradation Policy can be obtained by referring to WAC 173-201A-070.

Toxic Pollutants

Federal regulations (40 CFR 122.44) require NPDES permits to contain effluent limits for toxic chemicals in an effluent whenever there is a reasonable potential for those chemicals to exceed the water quality criteria. This process occurs concurrently with the derivation of technology-based effluent limits. Facilities with technology-based effluent limits defined in regulation are not exempted from meeting the water quality standards or from having water quality-based effluent limits.

Some of the disease control chemicals used at these facilities are classified as toxic pollutants. The Department has determined that when these chemicals are used according to FDA requirements and label requirements, they pose no reasonable potential to violate federal or state water quality standards.

Disease Control Chemicals

The disease control chemicals used at these facilities are administered for the internal and external control of fish diseases and also to disinfect facility tools, rearing ponds, or source waters to prevent the spread of these diseases. Numeric water quality standards have not been adopted for most of the compounds. The discharge concentration of these chemicals should not cause receiving water toxicity if the use is consistent with product labels, FDA regulations, and the permit requirement mandating Permittees to follow BMPs to dilute the treatment concentrations with other hatchery flows. The Department has determined that the use of BMPs will meet AKART for this pollutant.

The document entitled, “Approval of Disease Control Chemical Use Under the Department of Ecology’s General Permit for Upland Fin-fish Hatching and Rearing Facilities” (1990) authorized the use of non-emergency and emergency extra-label drug and chemical use without the prior approval of the Department. In October 1995, Chapter 173-221A WAC was amended to specifically allow the extra-label use of disease control drugs and chemicals if the drugs and chemicals are administered by or under the supervision of a licensed veterinarian and approved in advance by the Department.

The previous permits adopted the document conditions and incorporated them into S5.B. The Department recognizes that there are many situations where extra-label disease control drug and chemical use could occur with little reasonable potential to impact water quality. The Department also recognizes that an epizootic disease outbreak may require extraordinary measures to save the fish. Epizootic disease outbreaks may require the extra-label use of a drug or chemical or the use of a drug or chemical that is not approved by the FDA or the EPA. In the previous permit, the Department required 24-hour prior notification for emergency drug and chemical use and a detailed account of quantity of disposed disease control drugs and chemicals, in the facility’s operational log.

Human Health

The only pollutants known to have the potential to impact human health are the disease control chemicals. Because the fish are raised for eventual human consumption, the FDA also regulates the use of these chemicals. The permit allows the Permittees to use FDA-approved disease control chemicals only if they are used according to the product label. The permit also prohibits the discharge of these chemicals in concentrations which would exceed federal or state water quality standards and requires that BMPs be used to minimize the concentration of these chemicals in the facilities discharge.

Groundwater Quality

The Department has promulgated groundwater quality standards (Chapter 173-200 WAC) to protect beneficial uses of groundwater. The Department has determined that a properly operated upland fin-fish hatching and rearing facility poses little potential to impact state groundwater standards. This permit does not authorize a violation of these standards. The Department will require facilities with the potential to violate these standards to obtain coverage under an individual permit and/or require rearing and pollution abatement ponds to be lined if necessary.

Temperature and Dissolved Oxygen

The pollutants of potential concern in the first version of this permit were temperature and dissolved oxygen. The concern was raised in a 1988 study by the Department on the "Quality and Fate of Fish Hatchery Effluents During the Summer Low Flow Season." These parameters were monitored at each facility during their first year of permit coverage. The results of this monitoring showed that these facilities do not have a reasonable potential to exceed these parameters. Based upon this information, the Department determined that further monitoring of temperature and dissolved oxygen was not warranted and eliminated the monitoring requirements from subsequent permits.

COMPARISON OF EFFLUENT LIMITS WITH THE PREVIOUS PERMIT

The effluent limits for total suspended solids and settleable solids in the draft permit are the same as the permits issued in 1995 and 2000. WAC 173-221A-100(4)(a)(iv) states "Effluent limitations shall apply as net values provided the criteria contained in 40 CFR 122.45 (net gross allowance) are met." This net limit requirement has been in all previous permits by reference but the Department has not required the discharger to demonstrate comparability of influent and effluent solids prior to accepting the net values.

This permit requires influent and effluent values be reported on the DMR form along with the net value calculations. The Department will evaluate this data and require additional sampling to prove substantial similarity between influent and effluent solids where indicated. The Permittee can continue to report net values until the comparability tests are completed.

MONITORING AND REPORTING

Effluent monitoring, recording, and reporting are required (WAC 173-226-090) to verify the treatment process is functioning correctly and the effluent limitations are being achieved.

Since the offline settling basins were designed to meet the removal efficiency and hydraulic retention standards, it is more important to monitor the quality of the effluent leaving the settling basins than percent removal. Monthly sampling for total suspended solids remains in this permit. The Department feels this sampling frequency is justified because the solids entering the receiving water from the offline settling basins is the most important indicator of a hatchery's environmental performance.

The draft permit requires sampling of the offline settling basin every month the settling basin discharges, regardless of pounds of fish on hand or food fed per month. As stated above, the Department believes that the solids leaving the settling basins are the best indication of how well a facility is complying with their permit.

This permit does not allow violation of the groundwater standards. The Department may require facilities with clear potential to violate these standards to obtain coverage under an individual permit, require additional sampling and groundwater monitoring, and/or require rearing and pollution abatement ponds to be lined if necessary.

The previous permit allowed for the DPD colorimetric field test for chlorine as an acceptable alternative to constant bioassay. This permit requires residual chlorine be neutralized to less than 19 ug/L prior to discharge. This is the acute toxicity criterion promulgated in the Washington State Surface Water Quality Standards (Chapter 173-201A WAC). This permit contains the same requirements.

Calculating Net Values

This permit clarifies the use of net values when submitting results for TSS and settleable solids. If the facility chooses to calculate net discharge values for solids, both the influent and effluent values must be reported on the DMR form. The influent sample is to be taken of the "raw" water. The net calculation is applicable when the material (solids) in the influent is substantially similar in character as the solids in the effluent. If the Department has concerns, additional sampling may be required for total volatile suspended solids (TVSS) or biochemical oxygen demand (BOD₅), to determine the organic proportion of solids in the influent and effluent.

The monitoring and testing schedule is detailed in the permit under Conditions S3 and S4. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

OTHER PERMIT CONDITIONS

POLLUTION PREVENTION PLAN

The Department has determined that the Permittee can prevent or minimize the release of pollutants through the development and use of a Pollution Prevention Plan. The Permittee shall operate the facility in accordance with this plan along with any revisions directed by the Department to prevent an accidental release of pollutants under the authority of 402(a)(1) of the Federal Water Pollution Control Act (FWPCA) and RCW 90.48.080. The Pollution Prevention Plan shall be reviewed each permit cycle and updated as necessary.

FACILITY SAMPLING PLAN

A Facility Sampling Plan is required under S4.A to delineate the sampling locations and procedures for each facility. The Permittee shall sample in accordance with this plan along with any revisions directed by the Department.

SOLID WASTE MANAGEMENT PLAN

The Department has determined that the Permittee can prevent groundwater contamination and minimize the release of pollutants through the development and use of a Solid Waste Management Plan. The plan shall address floating, suspended, and settled solids. The criteria for removing collected solids shall be addressed. The Permittee shall operate the facility in accordance with this plan along with any revisions directed by the Department to prevent pollution.

GENERAL CONDITIONS

General conditions are based directly on state and federal law and regulations and have been standardized for this and other general NPDES permits.

ECONOMIC IMPACT ANALYSIS

A Small Business Economic Impact Statement (SBEIS) was prepared for this industry to meet the Upland Fin-fish Facility Rule (WAC 173-221A-100) adoption requirements. The first version of this general permit was in effect prior to the adoption of the rule. The rule adopted the substantive requirements of the first version of the general permit. The Department determined that the SBEIS prepared for the rule (WAC 173-221A-100) also met the general permit SBEIS requirements (WAC 173-226-120) for the subsequent versions of this permit. This permit has few substantial differences between it and the previous version of the permit. This permit requires a Facility Sampling Plan and a Solid Waste Management Plan. The previous permit required solid waste management issues to be addressed in the Pollution Prevention Plan.

PERMIT MODIFICATIONS

If necessary, the Department may modify this permit to impose numerical limitations to meet water quality standards, sediment quality standards, or groundwater standards, based on new information obtained from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

The Department may also modify this permit as a result of new or amended state or federal regulations.

RECOMMENDATION FOR PERMIT ISSUANCE

This permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics, protect human health, aquatic life, and the beneficial uses of waters of the state of Washington. The Department proposes that this general permit be issued for a term of five (5) years.

REFERENCES FOR TEXT

Environmental Protection Agency (EPA)

2002. Effluent Limitations Guidelines and New Source Performance Standards for the Concentrated Aquatic Animal Production Point Source Category. USEPA vol.60, #162. <http://www.epa.gov/fedrgstr/EPA-WATER/2004/August/Day-23/w15530.htm>

1991. Technical Support Document for Water Quality-based Toxics Control EPA/505/2-90-001.

1988. Technical Guidance on Supplementary Stream Design Conditions for Steady State Modeling. USEPA Office of Water, Washington, D.C.

1985. Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Groundwater. EPA/600/6-85/002a.

1974. Development document for proposed effluent limitations, guidelines, and new source performance standards for the fish hatcheries and farms point source category. Internal draft report. National Field Investigations Center, Denver CO. 237pp.

JRB Associates

1984. Development of effluent limitations for Idaho fish hatcheries. Report to the U.S. Environmental Agency. JBL Associates, Bellevue, WA. 119+ pp.

Pollution Control Hearings Board

2003. Troutlodge, Inc., v. State of Washington Department of Ecology. Findings of Fact, Conclusions of Law and Order. PCHB No. 02-056,

American Public Health Association, et al.

1992. Standard Methods for the Examination of Water and Wastewater. Washington DC

Washington State Department of Ecology

Laws and Regulations (<http://www.ecy.wa.gov/laws-rules/index.html>)

Permit and Wastewater Related Information

(<http://www.ecy.wa.gov/programs/wq/wastewater/index.html>)

Wood, James W.

1979. Diseases of Pacific Salmon Their Prevention and Treatment. Washington State Dept. of Fisheries, Hatchery Division. Olympia, WA. 81 pp.

APPENDIX A—PUBLIC INVOLVEMENT INFORMATION

The Department has tentatively determined to reissue a general permit for the Upland Fin-fish Hatching and Rearing Industry. In writing this permit, the Department evaluated past permit compliance and any comments received. This permit contains the same effluent limitations which were a part of the previous permits. Only minor changes were made to the permit to incorporate the newest version of permit shell language, require submittal of a Facility Sampling Plan, Pollution Prevention Plan, and Solid Waste Management Plan, and to clarify some reporting requirements.

On September 20, 2004, the Department filed a public notice with the Office of the Code Reviser to announce the intention to update and reissue the Upland Fin-fish Hatching and Rearing General Permit. The announcement was published in the *Washington State Register* (WSR 04-19-088) on October 6, 2004.

On January 18, 2005, the Department filed a Public Notice of Draft (PNOD) with the Office of the Code Reviser to inform the public that the revised draft permit and fact sheet are available for review and comment; and specify the date and location of the public workshop and hearing on the proposed permit. The announcement was published in the *Washington State Register* (WSR 05-03-100) on February 2, 2005. The public notice was also published in five major newspapers throughout Washington State and on the Department's website to inform the public that a draft of the proposed permit and fact sheet was available for review. These newspapers included the *Vancouver Columbian*, the *Daily Journal of Commerce*, the *Bellingham Herald*, the *Yakima Herald Republic*, and the *Spokane Spokesman Review*. Interested parties were also notified by direct mailings.

Interested persons were invited to submit written comments by April 1, 2005, regarding the draft permit and fact sheet. The draft permit and fact sheet were available on-line at www.ecy.wa.gov/programs/wq/permits/

The draft permit, fact sheet, and related documents were also available for inspection and copying between the hours of 8:00 am and 4:30 pm weekdays, by appointment, at any of the following Ecology Regional Offices:

Northwest Regional Office

(425) 649-7000

Department of Ecology

3190 - 160th Avenue SE

Bellevue, WA 98008-5452

For: King, Whatcom, Skagit, Snohomish,
San Juan, Kitsap, and Island Counties

Southwest Regional Office

(360) 407-6300

Department of Ecology

P.O. Box 47775

Olympia, WA 98504-7775

For: Thurston, Clallam, Jefferson, Grays
Harbor, Mason, Pierce, Lewis, Skamania,
Wahkiakum, Cowlitz, Clark, and Pacific Counties.

Central Regional Office

(509) 575-2490

Department of Ecology

106 South 6th Avenue

Yakima, WA 98902-3387

*For: Yakima, Benton, Klickitat, Chelan,
Douglas, Kittitas, and Okanogan
Counties*

Eastern Regional Office

(509) 329-3400

Department of Ecology

North 4601 Monroe, Suite 100

Spokane, WA 99205-1295

*For: Spokane, Grant, Adams, Whitman,
Ferry, Franklin, Stevens, Pend Oreille,
Garfield, Columbia, Asotin, Lincoln, and
Walla Walla Counties.*

Interested parties could comment on the draft permit and attended the public workshop and hearing.

Public Workshop/Hearing: The public workshop and hearing on the proposed permit was held on Tuesday, March 22, 2005, beginning at 7:00 pm. The purpose of the workshop was to explain the general permit, answer questions, and facilitate meaningful testimony during the hearing. The purpose of the hearing was to provide interested parties an opportunity to give formal oral testimony and comments on the proposed general permit. The workshop and hearing was held at the following location:

Washington State Department of Ecology
Main Auditorium
300 Desmond Drive
Lacey, Washington 98503

The public workshop and hearing began at 7:00 p.m. and concluded when public testimony was completed.

Small Business Economic Impact Statement: The Department has made a determination that the Small Business Economic Impact Statement (SBEIS) prepared to meet the Upland Fin-fish Facility Rule (WAC 173-221A-100), adopted in July 1990, satisfies the SBEIS requirements for this general permit. The proposed permit does not differ substantively from the expiring permit or the standards established for this industry in state regulation (WAC 173-221A-100 Upland Fin-fish Facilities).

How to Request Copies of the Proposed Permit: Requests for copies of the proposed permit, fact sheet, and SBEIS could be made by contacting Lori LeVander through the address noted below or by telephoning her at (425) 649-7039.

Where to Submit Written Comments: Interested parties commenting on the proposed permit, sent them to:

Lori LeVander
Water Quality Program
Washington Department of Ecology
Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008-5452
E-mail: llev461@ecy.wa.gov

Written comments postmarked by April 1, 2005, were considered.

Final Determination: A final determination to issue this permit was made after the Department evaluated all public testimony and written comments received pursuant to this notice. A copy of the final determination and the responsiveness summary will be sent to all persons who submitted written comment or gave public testimony.

The Department of Ecology is an equal opportunity agency. If you have special accommodation needs or require this document in an alternative format, please contact Lori LeVander at (425) 649-7039. If you are a person with a speech or hearing impairment, call 711 or 1-800-833-6388 for TTY.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

September 17, 2004

Dear Permittees and Interested Parties:

**Ecology to Rewrite and Reissue Upland Fin-fish Hatching and
Rearing NPDES General Permit**

The Washington State Department of Ecology (Ecology) is beginning a process to update and reissue the Upland Fin-fish Hatching and Rearing National Pollutant Discharge Elimination System (NPDES) Waste Discharge General Permit. The Hatchery General Permit is issued in compliance with the Federal Clean Water Act, the State Water Pollution Control Act and Chapter 173-221A WAC, Wastewater Discharge Standards and Effluent Limitations. This permit contains best management practices, effluent limitations and monitoring requirements necessary to protect state water quality.

The current permit was issued on April 17, 2000, and expires on June 1, 2005. This is a statewide general permit providing coverage for about 82 fin-fish hatching and rearing facilities. Dischargers who require coverage under this permit include all state and private and fish rearing facilities that produce more than 20,000 pounds of fish per year, or feed more than 5,000 pounds of food in a calendar month, or are designated as a significant contributor of pollution by the Department.

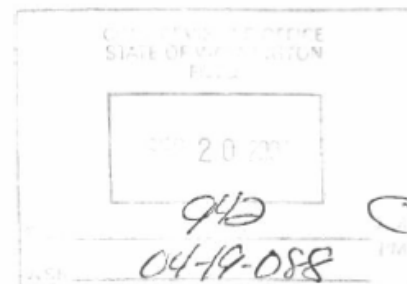
Parties interested in receiving information on the reissue process and participating in the rewrite should contact Ecology through the staff member listed below:

Lori LeVander
E-mail llev461@ecy.wa.gov
Phone 425-649-7039
Mail Dept of Ecology-NWRO
3190-160th Ave SE
Bellevue, WA 98008-5452

Additional information on the current Upland Fin-fish Hatching and Rearing NPDES General Permit, the fact sheet for the 2000 permit can be found on Ecology's web page:
<http://www.ecy.wa.gov/programs/wq/permits>

Sincerely,

Lori LeVander
Water Quality Program
Northwest Regional Office



Ecology is an equal opportunity agency. If you have special accommodations needs or require information in an alternative format, please contact Lori LeVander at 425-649-7039 or TTY (for the speech and hearing impaired) at 711 or 1-800-833-6388.



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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

PUBLIC NOTICE

Public Workshop and Hearing to Accept Comments on the Draft Upland Fin-fish Hatching and Rearing NPDES General Permit

Notice of Reissuance of the Upland Fin-fish Hatching and Rearing NPDES General Permit

In 1990, the Washington State Department of Ecology developed a National Pollutant Discharge Elimination System general permit to regulate the discharges from upland fin-fish hatching and rearing facilities. The current permit was reissued in April 17, 2000, and expires June 1, 2005. Ecology is proposing to reissue the revised permit April 20, 2005, with an effective date of June 1, 2005. The proposed draft Upland Fin-fish Hatching and Rearing General Permit and fact sheet are available for review and public comment from February 2, 2005, to April 1, 2005. Ecology will host a workshop and public hearing on its proposal to reissue the Upland Fin-fish Hatching and Rearing NPDES General Permit. Ecology will accept written comments on the draft permit and fact sheet or oral comments can be given at the public hearing.

The proposed permit implements the Federal Clean Water Act; the State Water Pollution Control Act; and Chapter 173-221A WAC, Wastewater Discharge Standards and Effluent Limitations. Dischargers who require coverage under this permit include all state and private hatcheries that produce more than 20,000 pounds of fish per year or feed more than 5,000 pounds per month. The purpose of the permit is to control the discharge of pollutants from hatcheries into waters of the state. The permit contains best management practices and effluent limitations and monitoring requirements necessary to protect state water quality. Individual facilities that receive coverage under the general permit are required to comply with the terms and conditions of the permit. Currently, about 86 facilities are covered under the Upland Fin-fish Hatching and Rearing General Permit.

Interested persons are encouraged to submit comments on the proposed permit and attend the public workshop and hearing described below. Written comments must be postmarked by April 1, 2005, to be considered.

Public Workshop/Hearing: A public workshop and hearing on the proposed reissuance of the Upland Fin-fish Hatching and Rearing Permit will be held on Tuesday, **March 22, 2005, at 7:00 pm**. The purpose of the workshop is to explain permit conditions, clarify permit changes, answer questions, and facilitate meaningful testimony during the hearing. Interested parties will be given an opportunity to give formal oral testimony and comment on the proposed general permit. The workshop and hearing will be held at the following location:

Washington State Department of Ecology
Room ROA-32/34/36
300 Desmond Drive
Lacey, Washington

Driving directions: <http://www.ecy.wa.gov/images/offices/map-of-wa.pdf>

The public workshop and hearing will begin at 7:00 p.m. and conclude as soon as public testimony is completed.

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| CODE REVISER'S OFFICE STATE OF WASHINGTON FILED | |
| JAN 18 2005 | |
| TIME | 4:37 |
| WSR | 05-03-100 |
| | AM PM |

Requesting Copies of the Permit: Requests for copies of the proposed permit and fact sheet may be made by contacting Tricia Miller at the address below or by telephone at 425-649-7201, or you can download copies from the website listed below:

Internet: www.ecy.wa.gov/programs/wq/permits/
Contact Ecology: Lori LeVander
Department of Ecology, NWRO
3190-160th Ave SE
Bellevue, WA 98008-5452
Telephone: (425) 649-7039
FAX: (425) 649-7098
E-Mail: llev461@ecy.wa.gov

Submitting Written and Oral Comments: Ecology will accept written and oral comments on the draft Upland Fin-fish Hatching and Rearing General Permit and fact sheet. Comments should reference specific text when possible. Submit written comments to:

Lori LeVander
Department of Ecology, NWRO
3190 160th Ave SE
Bellevue, WA 98008-5452

Written comments must be postmarked no later than midnight, Friday, April 1, 2005. Oral comments can be made by attending and testifying at the public hearing.

Issuing the Final Upland Fin-fish Hatching and Rearing General General Permit: A final determination to reissue the permit will be made after Ecology receives and considers all public testimony and comments received pursuant to this notice. Ecology expects to issue the final general permit on April 20, 2005, with an effective date of June 1, 2005. When issued, a copy of the notice of issuance and Ecology's responses to the comments will be sent to all persons who submitted written comment or gave public testimony.

Ecology is an equal opportunity agency. If you have special accommodation needs or require a copy of the permit and fact sheet in an alternative format, please contact Lori LeVander at (425) 649-7039. If you are a person with a speech or hearing impairment, call 711 or 1-800-833-6388 for TTY.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

**Announcement of Issuance of General Permit
for Upland Fin-fish Hatching and Rearing Facilities**

Introduction: The Department of Ecology is reissuing the Upland Fin-fish Hatching and Rearing General Permit. The previous permit was issued on April 17, 2000. The purpose of the permit is to control the discharge of pollutants from upland hatcheries into waters of the state. The permit implements the Federal Clean Water Act, the State Water Pollution Control Act and Chapter 173-221A WAC, Wastewater Discharge Standards and Effluent Limitations. Dischargers who require coverage under this permit include all state and private hatcheries not located on tribal or federal land that produce more than 20,000 pounds of fish per year or feed more than 5,000 pounds per month. The permit also contains best management practices and effluent limitations and monitoring requirements necessary to protect state water quality. The public comment period closed April 1, 2005.

Summary of Public Involvement Process: On October 6, 2004, an announcement was published in the Washington State Register (WSR 04-19-088) to inform the public of the intention to update and reissue the Upland Fin-fish Hatching and Rearing General Permit.

On February 2, 2005, the announcement was published in the Washington State Register (WSR 05-03-100) to inform the public that the revised draft permit and fact sheet were available for review and comment; and to specify the date and location of the public workshop and hearing on the proposed permit. The public notice was also published in five major newspapers and on Ecology's website to inform the public that a draft of the proposed permit and fact sheet was available for review. These newspapers included the Vancouver Columbian, the Daily Journal of Commerce, the Bellingham Herald, the Yakima Herald Republic, and the Spokane Spokesman Review. An announcement was also mailed to all interested parties. A public workshop and hearing on the proposed permit was held in Lacey on March 22, 2005. The public comment period closed April 1, 2005.

Final Determination: A final determination to reissue this permit was made after Ecology evaluated all the written comments received during the public comment period. Minor modifications to the draft permit resulted from the written public comments. A copy of the final Upland Fin-fish Hatching and Rearing General Permit will be sent to all Permittees and all parties who submitted written comments.

Appeal Procedures: Pursuant to Chapter 43.21.B. RCW, the terms and conditions of the permit may be appealed within 30 days of receipt. An appeal must be filed with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington, 98504-0903. In addition, a copy of this appeal must be served on the Department of Ecology, P.O. Box 47600, Olympia, Washington, 98504-7600. The procedures and requirements for the appeal process are contained in RCW 43.21.B.310.



9-26
05-08-026



The terms and conditions of a general permit, as they apply to an individual discharger, are appealable within 30 days of the effective date of coverage of that discharger, in accordance with chapter 43.21B RCW. This appeal is limited to the general permit's applicability or non-applicability to a specific discharger.

How to Request Copies of the Permit: Requests for copies of the final permit, fact sheet and responsiveness summary may be made by contacting Tricia Miller at the address below or by telephone at 425-649-7201, or you can download copies from the website listed below:

Internet: www.ecy.wa.gov/programs/wq/permits/

Contact Ecology: **Lori LeVander**
Water Quality Program
Washington State Department of Ecology
3190 - 160th Ave SE
Bellevue, WA 98008-5452
425-649-7039
e-mail: LLEV461@ecy.wa.gov

To Apply for Permit Coverage or Obtain Additional Information:

Southwest Regional Office
Water Quality Program
PO Box 47775
Olympia, WA 98504-7775
Phone: (360) 407-6280

Central Regional Office
Water Quality Program
15 West Yakima Avenue, Suite 200
Yakima, WA 98902-3401
Phone: (509) 454-7869

Northwest Regional Office
Water Quality Program
3190 - 160th Avenue SE
Bellevue, WA 98008-5452
Phone: (425) 649-7201

Eastern Regional Office
Water Quality Program
N. 4601 Monroe, Suite 202
Spokane, WA 99205-1295
Phone: (509) 456-6310

If you need this information in an alternate format, please contact Ecology at 360-407-6404. If you are a person with a speech or hearing impairment, call 711 or 1-800-833-6388 for TTY.

APPENDIX B—DEFINITIONS

Acute Toxicity--The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

Ambient Water Quality--The existing environmental condition of the water in a receiving water body.

Ammonia--Ammonia is produced by the breakdown of nitrogenous materials in waste water. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect waste water.

BOD₅--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD₅ is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass--The intentional diversion of waste streams from any portion of a treatment facility.

Chlorine--Chlorine is used to disinfect waste waters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic Toxicity--The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction, or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Composite Sample--A flow-proportioned mixture of not less than six discrete aliquots. Each aliquot shall be a grab sample of not less than 100 ml and shall be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Critical Condition--The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low; thus, its ability to dilute effluent is reduced.

Department--Department of Ecology

Director--The Director of the Department of Ecology or his/her authorized representative.

Epizootic—means the occurrence of a specific disease which can be detected in 50% of the mortality or moribund individual fish in an affected container or within an affected population, and which results in an average daily mortality of at least one-half of one percent of the affected individual fish for five (5) or more days in any thirty-day period.

40 CFR--Title 40 of the Code of Federal Regulations. The Code of Federal Regulations is the codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Grab Sample--An individual discrete water sample.

Lined Pond--Asphalt, concrete, plastic membrane, or similarly lined ponds. Ponds lined with gravel or soil are considered unlined.

Maximum Daily--The highest allowable sample value from a daily discharge taken during a calendar month.

Mgd--Million gallons per day

mg/L--Milligrams per liter (“Net mg/L” = mg/L in Hatchery Effluent minus mg/L in Hatchery Influent)

ml/L--Milliliters per liter (“Net ml/L” = ml/L in Hatchery Effluent minus ml/L in Hatchery Influent)

Monthly Average--Calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

National Pollutant Discharge Elimination System (NPDES)--The NPDES (Section 402 of the Clean Water Act) is the federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/state permits issued under both state and federal laws.

Offline Settling Basin--shall mean those pond cleaning waste treatment systems which have a hydraulic detention time of 24 hours and a designed removal efficiency of at least 85% for total suspended solids and 90% for settleable solids.

Production--means net gain in weight of fish at the facility.

Rearing Ponds or Raceways--means ponds, raceways, circular ponds, or any other method used to keep fin-fish captive for culture purposes at an upland fin-fish rearing facility.

Rearing Vessel--means all rearing ponds, raceways, and fish hauling tanks.

Representative Sample--means multiple outfalls with similar waste streams can be sampled and combined into one sample for one analysis. The sample volume from each outfall shall be apportioned according to the volume of flow at the time of sampling. These apportioned samples can then be combined into one representative sample for analysis.

Settleable Solids--means those solids in surface waters or waste waters which are measured volumetrically in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Section 303(d) List--is a part of the federal Clean Water Act that requires states to identify waterbodies that are water quality limited (i.e. waterbodies that do not meet, or are not expected to meet, applicable water quality standards after sources have undergone technology-based controls).

Surface Waters--include lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington. For the purposes of this permit, surface waters do not include hatchery ponds, raceways, pollution abatement ponds, and wetlands constructed solely for wastewater treatment.

Total Maximum Daily Load (TMDL)--is the sum of all waste load allocations (WLAs) and load allocations (LAs) (non-point source and background) and a safety margin. The TMDL is a mechanism for establishing water quality-based controls on all point and nonpoint sources of pollutants within a water quality-limited basin, sub-basin, or hydrographic segment.

Total Volatile Suspended Solids (TVSS)--is a measure of the organic solids present in the solid fraction of the influent or effluent water, which are measured in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Waters of the State--include those waters defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter RCW 90.48 RCW which include lakes, rivers, ponds, streams, waters, underground waters, salt waters, and all other surface water and water courses including wetlands within the jurisdiction of the state of Washington.

Water Quality Standards--means the water quality standards for groundwaters of the state of Washington (Chapter 173-200 WAC), the water quality standards for surface waters of the state of Washington (Chapter 173-201A WAC), and the sediment management standards of the state of Washington (Chapter 173-204 WAC).

APPENDIX C—RESPONSE TO COMMENTS

The purpose of the public comment period and formal hearing was to give the public an opportunity to comment on the Department's draft of the renewed hatchery permit. The purpose of this Responsiveness Summary is to provide the Department's formal response to those comments.

Several commentors commented on the same basic issues within the draft permit. To reduce repetition, similar comments are addressed collectively. Specific comments are answered individually. Appendix C contains a copy of all written comments.

The Department has attempted to clearly and directly respond to the written comments received on the draft permit. If a response is not clear, or if more information is desired, please contact Lori LeVander, at 425-649-7039 or llev461@ecy.wa.gov.

Written Commentors

1. Mr. Jim Parsons, Vice-President/Tech. Services, Troutlodge, Inc.
2. Mr. James R. Zimmerman, Executive Director, Washington Fish Growers Association
3. Mr. Patrick Connor, Director of Research, Washington State Farm Bureau
4. Mr. John Kerwin, Hatcheries Division Manager, Washington Department of Fish and Wildlife

Oral Commentors

There were no oral comments provided at the public hearing on March 22, 2005.

Comments and Responses

Comment 1: Special Condition S1, Permit Coverage - Why does Washington continue to use 20,000 pounds of production and 5,000 pounds of feed per month as the permit requirements when the new EPA Aquaculture Effluent Limitation Guidelines document suggests that only farms with more than 100,000 pounds of annual production should be regulated? EPA determined that operations of a smaller size had no significant impact on receiving waters. Why isn't this document quoted in the permit? The EPA documents recommend only regulating facilities over 100,000 pounds.

Response to Comment 1: The Federal Clean Water Act allows states to set more restrictive limits than federal limits. RCW 90.48, Washington State's Water Pollution Control Law, allows the Department to be more stringent.

Specific requirements and limits for upland fin-fish and hatching facilities were adopted in Chapter 173-221A WAC. WAC 173-221A-100 defines which types of upland fin-fish facilities need a wastewater discharge permit. The threshold for permit coverage is regulated at 20,000 pounds of fish. The Department is legally bound by this regulation.

EPA, in their Development Document, recognized that a number of states already had general permits with numeric limits tailored to the specific production systems, species raised, and environmental conditions in the state. The permits were working well to minimize discharges of suspended solids (DCN 63065). "EPA believes there would be minimal environmental gain from requiring these states to redo their General Permits to conform to a set of uniform national concentration-based limits that in most cases would not produce significant changes in control technologies and practices at CAAP facilities."

Comment 2: Special Condition S1. - The reference to 303(d) listed waterbodies needs to be clarified. What categories of waters are considered?

Response to General Comment 2: The Department is currently using the EPA approved 1998 303(d) Report to determine which discharges go to impaired waterbodies. The categories you referred to are in the 303(d) report submitted to EPA but not yet approved. The draft report defines the categories as follows:

| | | |
|---|---|---------------------------------------|
| Category 1. Meets Tested Standards | Not impaired, or not known to be impaired | EPA approval and TMDL not required |
| Category 2. Waters of Concern | | |
| Category 3. No Data | | |
| Category 4. Impaired but does not require a TMDL 4a. Has a TMDL 4b. Has a Pollution Control Plan 4c. Impaired by a non-pollutant | Impaired | EPA approval and TMDL required |
| Category 5. The 303(d) List | | |

Categories 1 through 4 are intended to inform other water quality efforts in Washington, and to inform the public about the condition of the state's waters. Only Category 5 represents the 303(d) listed waters. The intention of this permit is to focus primarily on facilities that discharge to Category 4 and 5 impaired waters.

Comment 3: Special Condition S1, – The permit lists “. . . TMDL or other control plan.” What is an “other control plan”?

Response to Comment 3: “Other control plan” means a pollution control plan that has been approved by a local, state, or federal authority. The Department recognizes these plans if there is a reasonable expectation that water quality standards will be met in the near future.

Comment 4: Special Condition S1.B.1.b. - The definition of production increase needs to be specified.

Response to Comment 4: There is no specific production increase needed in this section. Any facility which has an expansion or production increase which will result in increased discharges of pollutants, AND causes the permittee to violate the applicable surface water quality standards at the point of discharge will be considered for an individual permit.

Comment 5: Special Condition S5. Operating Requirements and Conditions C.1. - The requirement to notify the department of any proposed production increases is vague. A definition of a production increase needs to be specified.

Response to Comment 5: This is a general permit. An exact number for significant production increase is subjective and site specific. Some production increases can have a significant impact on the effluent quality and receiving water. Pollution abatement ponds are sized to handle a certain solids loading. A significant production increase or facility expansion could overload the existing pollution abatement pond, causing increased solids discharge to the receiving water.

The Response to Comments for the 2000 permit stated a 20% increase. The definition of “substantial” is a judgment call. The hatchery manager should discuss production or facility increases with their individual permit manager. The requirement to submit a new application was deleted.

Comment 6: The methodology for demonstrating comparability of the influent and effluent solids must be fully defined.

Response to Comment 6: Demonstrating comparability of influent and effluent solids can be accomplished with the use of total volatile suspended solids (TVSS). The goal is to evaluate and compare the amount of organic versus inorganic solids in the influent and effluent. High levels of influent inorganic solids such as sand do not equate or have the same water quality impacts as high levels of organic solids in the effluent.

TVSS can be measured using EPA Method 160.4, *Standard Methods for Examination of Water and Wastewater*, 20th Edition, 2540E. Percent volatile solids can be measured using the same method number. The reference to TVSS was added to S2.B. footnote 1 and S3.A. footnote e.

Comment 7: WDFW understands that net reporting will be allowed, with reporting of influent and effluent values on the Discharge Monitoring Report. Language contained in the draft permit could allow for inconsistent interpretation. For clarification, we strongly recommend that the language in the final permit reflect this allowance.

Response to Comment 7: Comment noted. Footnote (1) in S2.B. and footnote b in S3.A. will include the sentence “Net values will be accepted if both influent and effluent values are reported.” Footnote (e) in S3.A. will be changed to reflect these comments.

Comment 8: Naturally floating things like leaves, weeds, and seeds are often found on the surface water of lakes, rivers and streams. It is impossible to remove all such naturally occurring items from the discharge water. Naturally occurring items should not be considered a violation.

Response to Comment 8: Comment noted. S5.A.10. will be changed to read, “The discharge of floating solids to surface waters shall be prevented to the extent possible.”

Comment 9: Troutlodge opposes the use of both numeric limits and narrative planning. If DOE is going to regulate an industry “end-of-pipe” then it is up to the operators to determine how best to meet those limits.

Response to Comment 9: State law requires both numeric and narrative limits to achieve the water quality standards. The Facility Sampling Plan assists the permit manager in knowing where the samples are being taken, how they are taken, and when. Pollution prevention plays a major role in protecting our surface and ground waters. Both narrative limits and numeric limits are in place to protect water quality. Solid Waste and Pollution Prevention Plans assist the facilities in meeting the effluent limits in the permit.

Comment 10: Sharp crested weir devices are consistent with accepted aquaculture practice. Who is to conduct the calibration?

Response to Comment 10: Facility managers are responsible for ensuring proper calibration and calculation of flows with their chosen flow measurement devices. Tables are available for measuring the discharge of water over damboards or other similar weirs. (reference Wood, James W., *Diseases of Pacific Salmon their Prevention and Treatment*, WDF, January 1979).

Comment 11: Why does the department need loading and feed information and disease control chemical information?

Response to Comment 11: The Department has used feed and loading information to work with facilities to achieve compliance with permit limits. We have some facilities with high loadings that have low solids discharges to surface waters. This data helps us to look at other facilities that have permit exceedances, comparing their BMPs, and work with them to meet the permit limits and protect water quality in the receiving water. Loading information also verifies when a facility falls below the threshold for monitoring flow-through water.

The Department has been given the mandate to protect the waters of the state. Monitoring and reporting of chemical and disease control chemicals is an important tool for monitoring discharges to our state's waters. Monitoring, recording, and reporting are required (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and the effluent limitations are being achieved.

Comment 12: Solid Waste Management and Pollution Prevention Plans: Submitting plans to DOE for approval is troubling. Who will review the plans? How will they be evaluated? What time frame will DOE have to respond?

The Washington Fish Growers Association questions what authority either by RCW or WAC DOE has to require a Solid Waste Management Plan for fish rearing facilities? There should be coordination with the public and private sector fish hatchery operators in development of a Solid Waste Management Plan. DOE should be consulting and working with these fish hatchery operators in the development of the criteria of said plan.

Response to Comment 12: The plans will be reviewed by the regional permit managers and evaluated for compliance with the permit requirements and conditions. The permit does not require plan approval so there is no response required.

This proposed permit requires, under authority of RCW 90.48.080, that the Permittee develop a solid waste plan to prevent solid waste from causing pollution of waters of the state. Requirements of WAC 173-221A-100(5) are incorporated into the Solid Waste Management Plan.

In accordance with state and federal regulations, the Permittee is required to take all reasonable steps to properly operate and maintain any facilities or systems of control to achieve compliance with the terms and conditions of the permit (40 CFR 122.41(e)) and WAC 173-220-150 (1)(g).

The Department of Ecology worked with WDFW to develop these plans during the last few permit cycles. All facilities currently covered under the Upland Fin-fish Hatching and Rearing NPDES General Permit should have these plans completed and on station, as required by the current permit. The Department will work with hatchery personnel or managers to revise and update the existing plans if requested.

General Conditions:

Comment 13: G5. Right of Entry - Facilities that have alternate entry standards and notification requirements due to USDA/APHIS disease-free status must be considered separately in this section, with appropriate wording included as part of the permit.

Response to Comment 13: Comment noted. These requirements will be incorporated into the permit.

Comment 14: G6. Change in Covered Activities. This section must be quantified.

Response to Comment 14: See Response to Comment 5. The Permittee should work with the permit manager to determine what is significant for each individual facility.

Comment 15: G7. D. Revocation of Coverage - Entry requirement issue needs to be modified to reflect alternate entry standards.

Response to Comment 15: See Response to Comment 13. Reference to the alternate entry standards and notification requirements will be incorporated in G7.D.

Comment 16: G8. General Permit Modification or Revocation - EPA's work with the Concentrated Aquatic Animal Production Effluent Limitation Guidelines should be considered, particularly with respect to only including farms with over 100,000 pounds of production.

Response to Comment 16: See Response to Comment 1.

Fact Sheet:

Comment 17: Private aquaculture enterprises within Washington also raise large volumes of fish for enhancement purposes.

Response to Comment 17: Comment noted. This will be added to the fact sheet.

Comment 18: Page 6 - weekly TSS and monthly SS . . Is this correct?

Response to Comment 18: The fact sheet should state monthly TSS and weekly SS. The fact sheet will be changed to correct this error.

Comment 19: Page 9 - Who makes the determination if water quality-based or technology based limitations are more stringent or potentially more stringent? How are such determinations made? What role in making these decisions does the operator have?

Response to Comment 19: Effluent limits restrict the amount of pollutants that may be discharged. Effluent limits may be based on the technology which is available to treat the pollutants at a reasonable cost or they may be based on the effect of the pollutants in the receiving water, whichever is most stringent. Technology-based limits may be derived using the Federal effluent guidelines or develop effluent limits specifically for an individual discharger or pollutant.

EPA developed standards and effluent limits for upland fin-fish rearing and hatching facilities. These limits, for the most part, were incorporated into WAC 173-201A. These limits are compared with the Washington State surface water quality standards and the more stringent of the limits are written into this permit.

Comment 20: Page 13 - If DOE is going to require numeric standards, delete the narrative requirements as part of the permit. If an operation consistently violates its numeric limits, then specific plans can be worked out.

Response to Comment 20: See Response to Comments 9, 11 and 12. The goal of best management practices and the required plans is to eliminate violations of the numeric limits. To wait until a facility “consistently violates its numeric limits” to work out specific plans is too late. These plans were required in the last permit and the facilities should all have them on-site and be following them to protect water quality.

Comment 21: Page 15 - DOE cites nothing from the past 15 years, and what they do cite are representative of very flawed studies at best. The new EPA guidance document and all of the reference materials should be cited. Why were these works not utilized by Ecology in the permit process?

Response to Comment 21: See Response to Comment 1.



WASHINGTON STATE
FARM BUREAU

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April 1, 2005

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DEPT OF ECOLOGY

Ms. Lori LeVander
Water Quality Program
State of Washington
Department of Ecology
Northwest Regional Office
3190 – 160th AVE SE
Bellevue, WA 98008-5452

Via email and U.S. Postal Service

RE: **Upland Fin-fish Hatching and Rearing National Pollutant Discharge Elimination
System General Permit and Fact Sheet**

Dear Ms. LeVander:

On behalf of the nearly 35,000 Washington Farm Bureau member families, I thank you for the opportunity to comment on the proposed permit and fact sheet.

Farm Bureau is a general farm organization representing farmers, ranchers and member families across Washington State, including those in aquaculture. Washington State produces more than 200 crops and is second only to California in the number of commodities grown. Farm Bureau members help feed their neighbors, the nation and the world.

Farm Bureau strives to protect the economic viability of farmers and ranchers. Agriculture generates \$5.8 billion of farmgate value with an estimated \$30 billion impact to the state's economy. Washington is a major exporter of food and fiber products. Agriculture is a major driver of jobs both in rural and urban Washington when you consider the ports and the agrifood complex. Compared to other state industry-group sectors, agriculture ranks fifth in producing direct income.

Our members' experience has been that the existing Upland Fin-fish Hatching and Rearing General National Pollutant Discharge Elimination System Permit has been a useful and cost-effective tool for Washington's private hatcheries. Farm Bureau appreciates the Department's efforts to renew the permit, although we do have some concerns as explained below.

SPECIAL CONDITIONS, SI. PERMIT COVERAGE (Page 5) reads in part,

- "A. 1. a. Has a production of more than 20,000 pounds of fish a year; or
b. Which feeds more than 5,000 pounds of fish food in any one calendar month."

The American Farm Bureau Federation's (AFBF) National Aquaculture Committee worked closely with federal agencies and the numerous environmental and grower groups involved in the development of the Environmental Protection Agency's (EPA) *Aquaculture Effluent Limitation Guidelines*, which recommend 100,000 pounds rather than the much smaller 20,000-pound production and 5,000 pounds of feed limitation under the Department's proposal.

Washington Farm Bureau believes that the Department should follow the EPA guidelines in this instance.

Farm Bureau would also like to know why the Department chose 20,000 pounds of production or 5,000 pounds of feed when it has been determined that discharge from fish hatcheries of less than 100,000 pounds have an insignificant impact on receiving waters?

S5. OPERATING REQUIREMENTS AND CONDITIONS (Page 15) reads in part,

“A. General Operating Requirements

10. Floating solids shall not be disposed of to surface waters of the state.”

Farm Bureau recognizes the importance of keeping all waters, discharged or runoff, free of debris so much as practicable. However, naturally floating things like leaves, weeds, and seeds are often found on the surface water of lakes, rivers and streams. The water in a fish hatchery is no different and it would be impossible to remove all such naturally occurring items from the discharge water. Every effort should be made to discharge the cleanest water possible, but naturally occurring items should not be considered a violation.

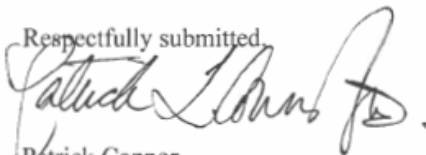
FACT SHEET

After reviewing the Department's Upland Fin-fish Hatching and Rearing National Pollutant Discharge Elimination System Waste Discharge General Permit and fact sheet, Farm Bureau is concerned that the EPA guidance document and its reference materials are not cited.

A great deal of time and work by a number of agencies and stakeholder groups, including members of AFBF's National Aquaculture Committee, went into developing those materials. Why are they not utilized by the Department in this permit process?

Again, thank you for the opportunity to comment on the Department's proposed Upland Fin-fish Hatching and Rearing National Pollutant Discharge Elimination System General Permit and Fact Sheet. Farm Bureau looks forward to your reply to the concerns raised above.

Respectfully submitted,



Patrick Connor
Director of Research

Comments on Upland Finfish Draft General Permit and Fact Sheet

Jim Parsons
Troutlodge, Inc.
March 29, 2005

Upland Finfish Draft General Permit

S1.A.1. a&b. Permit Coverage. Why does WA continue to use 20,000 lbs. of production and 5,000 lbs. of feed per month as the permit requirements when the new EPA Aquaculture Effluent Limitation Guidelines document suggests that only farms with more than 100,000 lbs. of annual production should be regulated? Substantial effort by multiple federal agencies (the Joint Subcommittee on Aquaculture), private growers, and environmental groups went into the development of these new ELG's. The determination was made that operations of a smaller size had no significant impact on receiving waters.

S1.A.2. "...or a waterbody listed on the WQA section 303(d) report..." What Category? Are only Category 5 waters considered, or all categories, including 1&2?

S1.B.1.a. "...TMDL or other control plan..." What is an "other control plan"?

S1.B.1.b. The definition of a production increase needs to be specified.

S2.G. As noted above, a definition of Categories implied by the 303(d) list reference must be clear.

S3. footnote e. "For reporting net values, the Permittee must demonstrate comparability of the influent and effluent solids." The methodology for accomplishing this must be fully defined.

S4. Monitoring and Reporting Requirements

- A. Facility Sampling Plan. We oppose the use of both numeric limits and narrative planning. If DOE is going to regulate an industry "end-of-pipe" then it is up to the operators to determine how best to meet those limits. This is particularly the case in aquaculture operations that vary widely in characteristics and operational procedures.
- D. Flow Measurement. Sharp-crested weir devices are consistent with accepted aquaculture practice. Who is to conduct the calibration?
- F. 2. Average loading and amount of feed fed should not be required for departmental use. What information does DOE need from this data? Efficiencies are not calculable from this information as different sizes of fish convert feed differently, as do farms in differing water temperatures. This type of data collection is invasive.
- G. If an aquaculture company has a desire to monitor its effluent for parameters other than on the permit, or to test the efficiencies of new practices, they have a right to maintain that data privately.
- H. Please see S4.F.2 comment above.

S5.A.10. Floating solids. Occasionally floating leaves, sticks, algae, duckweed, other plant matter or other forms of material can leave the farms and float through screening. To totally eliminate this may place aquaculture operations in an uncalled-for position.

S5.C.1. See previous comments. If the facility can still meet numeric requirements, DOE has no business receiving this information.

S6. Solid Waste Management

The idea of submitting plans to DOE, who in effect have little working knowledge of private aquaculture enterprises, for approval is troubling. Who will review the plans? How will they be evaluated? What time frame will DOE have to respond? What legal authority do they have?

S7. Pollution Prevention Plan

Please see comments regarding the narrative requirements from earlier sections.

G5. Right of Entry. Facilities that have alternate entry standards and notification requirements due to USDA/APHIS disease-free status must be considered separately in this section, with appropriate wording included as part of the permit.

G6. Change in Covered Activities. Mentioned previously, this section must be quantified.

G7.D. Entry requirement issues, see above.

G7.H. Section 303(d) list issues as previously noted.

G8. The EPA's work with the Concentrated Aquatic Animal Production Effluent Limitation Guidelines should be considered, particularly with respect to only including farms with over 100,000 lbs. of production.

Fact Sheet Comments

Background Information. Industrial Process. 2nd and 4th paragraphs. Private aquaculture enterprises within Washington also raise large volumes of fish for enhancement purposes.

Page 6 of 21. 1st paragraph under Pollutants of Concern. "...weekly TSS and monthly SS..." Is this correct?

Page 9 of 21, Water Quality Based Effluent Limitations. "When water quality-based limitations are more stringent or potentially more stringent than technology based limitations they must be used in a permit." Who makes that determination? How are such determinations made? What role in making these decisions does the operator have?

Page 13 of 21. Other Permit Conditions. Again, if DOE is going to require numeric standards, delete the narrative requirements as part of the permit. If an operation consistently violates its numeric limits, then specific plans can be worked out.

Page 15 of 21. References for Text. This is one of the most troubling sections of this entire document. DOE cites nothing from the past 15 years, and what they do cite (e.g. the JRB study) are representative of very flawed studies at best. They don't even cite the new EPA guidance document, and all of the reference materials that went into compiling that work! What this suggests to operators in aquaculture is that DOE knows relatively little regarding aquaculture, and hasn't taken the time to stay current on what the industry is doing with regards to effluent impacts

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Nancy J. Zimmerman

From: "Jim and Nancy Zimmerman" <njzim@nwi.net>
To: "Lori LeVander DOE" <llev461@ecy.wa.gov>
Sent: Friday, April 01, 2005 1:07 PM
Subject: Fin-Fish General Permit Comments by WFGA

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APR 04 2005

DEPT OF ECOLOGY

TO: Ms. Lori LeVander
Water Quality Program
Washington Department of Ecology

SUBJECT: Washington Fish Growers Association Comment's on the Upland Fin-Fish Hatching and Rearing National Pollutant Discharge Elimination System Waste Discharge General Permit. Submitted April 1, 2005 by James R. Zimmerman, Executive Director

Washington Fish Growers Association (WFGA) membership includes private sector fish farmers including Upland and Salt water facilities. WFGA officers and members appreciate the opportunity to comment.

Comment Number One:

Reference: S1. Permit Coverage 1. a. And b. Page 5 or 37

Washington Fish Growers Association is an active member of a number of National Aquaculture organizations. WFGA has actively participated in Workshops with EPA, other aquaculture groups and with environmental organizations in development of "EPA's Aquaculture Effluent Limitation Guideline" document. In this document EPA recognizes that hatchery facilities that are less than 100,000 pounds had no significant impact on receiving waters from its discharge. Therefore WFGA does not understand why DOE still uses the old numbers of 20,000 pounds of production and 5,000 pounds of feed per month? Diligent work was done by EPA and associated groups in developing the Aquaculture Effluent Limitation Guideline and WFGA feels it should be reflected in Washington Department of Ecology's Fin-Fish Waste Discharge General Permit.

Comment Number One A.

Reference EPA's Aquaculture Effluent Limitation Guideline document and reference materials: The Washington Fish Growers Association along with the National Aquaculture Association, American Farm Bureau and a panoply of various environmentalist groups work diligently and cooperatively in developing EPA's New Aquaculture Effluent Limitation Guideline document. Washington Fish Growers Association does not see any mention of the document and the important findings of it that is supported by various reference materials that went into compiling this state-of-the-art work that was done to protect the environment with the heights of expertise. Why is this important information not included and referenced by DOE?

Comment Number Two:

Reference: S5 C. Production Changes 1. Page 17 of 37

During the Workshop on March 22 at DOE Olympia offices there was discussion of proposed production increases. No percentage is indicated in this document. Washington Fish Growers Association would not support any percentage of less than 50%. Fish hatchery production changes occur for any number of reasons and at various times of the year. It would be very burdensome and serves no recognized purpose to report to DOE unless the production rate was at least 50%. At the March 22nd meeting 20% was discussed. Washington Fish Growers Association does not support the mentioned 20% number and suggests that DOE work closely with the private sector and WDFW before

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www.wfga.net

determining any such percentage.

Reference: C. Production Changes 2. Page 17 or 37

(See WFGA Comment Number One – Again EPA's Aquaculture Effluent Limitation Guideline should be adopted by Washington Department of Ecology's Fin-Fish Waste Discharge General Permit)

Comment Number Three:

Reference: S6 Solid Waste Manage C

Solid Waste Management Plan Page 18 or 37

Washington Fish Growers Association first of all questions what authority either by RCW or WAC DOE has to require a Solid Waste Management Plan for fish rearing facilities? Please indicate the RCW or WAC this said plan is required.

If there truly is authority for said plan, Washington Fish Growers Association suggests that there be coordination with the public and private sector fish hatchery operators in development of a Solid Waste Management Plan. Public and Private fish hatchery owners have vast working knowledge of fish rearing facilities. DOE should be consulting and working with these fish hatchery operators in the development of the criteria of said plan. DOE does not have the working expertise or operational knowledge that Public and Private fish hatchery owners possess. This said plan should not become a burdensome requirement with any value to the operator or the environment. Washington Fish Growers Association does not support said plan just for the sake of having one.

Comment Number Four.

Reference: G5 Right Of Entry

Washington Fish Growers Association has been deeply involved in establishing Right Of Entry procedures that have been approved and upheld by the PCHB. Washington Fish Growers Association feel that alternate entry standards and notification requirements due to USDA/AHIS disease-free status must be identified and followed separately in this section along with appropriate wording clearly indicating such with in this permit. Washington Fish Growers Association understands the importance of protecting the status/certification of disease-free facilities from lateral transfer by improper entry to fish rearing facilities. The standards and notification requirements approved and upheld by PCHB should be followed by all parties involved with operations and permitting.

Respectfully submitted by,

James R. Zimmerman, Executive Director

Washington Fish Growers Association

April 1, 2005

James R. Zimmerman

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Washington Fish Growers Association

Secretary: Dan Swecker

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DEPT OF ECOLOGY

State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

March 31, 2005

Ms. Lori LeVander
Water Quality Program
Washington Department of Ecology
Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008-5452

Dear Ms. LeVander:

Thank you for the opportunity to comment on the draft National Pollutant Discharge Elimination System (NPDES) General Permit for Upland Fin-fish Hatching and Rearing Facilities (General Permit) that the Department of Ecology (Ecology) is currently developing. This is the fourth issuance of the General Permit and throughout that history we appreciate that the process and administration has been fair, cooperative, and mutually respectful.

The draft permit and Fact Sheet contain new language for net reporting. Our understanding from the Fact Sheet is net reporting will be allowed, with reporting of influent and effluent values on the Discharge Monitoring Report. Language contained in the draft permit could allow for inconsistent interpretation. For clarification, we strongly recommend that the language in the final permit reflect this allowance.

The Fact Sheet also indicates that Ecology will evaluate data and require additional sampling to prove substantial similarity between influent and effluent samples where indicated, or if there are concerns. It is not clear how demonstration of comparability of hatchery influent and effluent will be determined. Our recommendation is that the process for the determination of facilities identified be consistent, be based on measurable criteria, and that the administration of the criteria be consistent statewide.

The Washington Department of Fish and Wildlife (WDFW) has applied for renewal of coverage for seventy-two facilities under this permit. WDFW requests that the permit be administered consistently throughout the state of Washington.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kerwin".

John Kerwin
Hatcheries Division Manager

| | | |
|-----|--------------|--------------------------------|
| cc: | Larry Peck | Regional Fish Program Managers |
| | Lew Atkins | Hatchery Complex Managers |
| | Jo Wadsworth | Catie Mains |